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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,843	12/21/2004	Lutz Schneidereit	AT 020044	1284

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EXAMINER

PHAM, VAN T

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/518,843	Applicant(s) SCHNEIDEREIT ET AL.	
	Examiner VAN T. PHAM	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/29/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed 9/29/2006 have been fully considered but they are not persuasive.

Applicant's asserted, "Woodward relates to a method for creating a media identifier. Woodward is not concerned with nor does it address **a method for generating an identification data block for a data carrier**. Further Woodward does not teach or suggest by a reproducing arrangement for reproducing a number of data carries", which recited in preamble and "a reproducing arrangement for reproducing a number of data carriers" is intended use (see rejection below).

Applicant's asserted, "Kawamura does not discloses such an arrangement and is only concerned with a data recording medium and playback device. Kawamura is not concerned with **generating an identification data block.**", which is found in Kawamura Fig. 10 (noted: in the previous Office Action indicated that "Kawamura, discloses the sector address of the TOC are by means a gating function and an XOR gating operation is then likewise used as a gating function and total number of tracks and start position of the data (Figs. 10-15)").

Drawings

2. The drawings are objected to because those Figures are not descriptive rather claim terminology. Moreover, some of new drawings have not overcome the objection of the black boxes not being labeled accordingly. Figures 1-4 are too small and unreadable with a very bad hand written. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the

sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 14 recites “a computer system having a processing unit and an internal storage means, said computer system runs the computer software product..” which could not be able to understand. However, according to the previous set of claim the claim 14 could understand that claim 14 depends to claim 12.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woodward (US 2003/0028721) in view of Kawamura et al. (US 6,424,614).

Regarding claim 1, Woodward discloses a method of generating an identification data block for a data carrier by a reproducing arrangement for reproducing a number of data carriers (see Fig. 3 and the number of data carriers is intended use), which data carrier comprises at least one track (see Fig. 4), wherein each track is defined by an item of start position information (see Fig. 4), wherein the identification data block is formed from part identification blocks, wherein a first part identification block is formed from the items of start position information (see Fig. 4) and a second part identification block is formed from a total for the number of tracks on the data carrier (see abstract and Figs. 4-5). However, Woodward does not disclose the identification data block by means of a gating function and the first part identification block is formed from the items of start position information by means of an XOR gating operation and an XOR gating operation is then likewise used as a gating function.

Kawamura, discloses the sector address of the TOC are by means a gating function and an XOR gating operation is then likewise used as a gating function and total number of tracks and start position of the data (Figs. 10-15).

Regarding claim 2, the combination of Woodward and Kawamura, discloses a method as claimed in claim 1, wherein at least one track comprises a number of files having file names

(Kawamura Fig. 11), use being made for generating the identification data block of, in addition, the file names to generate a third identification data block.

Regarding claim 3, the combination of Woodward and Kawamura, discloses a method as claimed in claim 2, wherein characters of the file names are each individually gated by an XOR function (Kawamura Figs. 9-10).

Regarding claim 4, the combination of Woodward and Kawamura, discloses a method as claimed in claim 2, wherein use is made for generating the identification data block of, in addition, a fourth part identification block, the total number of files, which is formed by the number of files, being used to generate the fourth identification data block.

Regarding claim 5, the combination of Woodward and Kawamura, discloses a method as claimed in claim 1, wherein a data block having four bytes is generated as an identification data block (see Kawamura Fig. 11).

Regarding claim 6, the combination of Woodward and Kawamura, discloses a method as claimed in claim 5, wherein a data block having a single byte is generated as a second part identification data and while generating said identification data block by said XOR gating to generate the identification data block, said second part identification block is set to a fourth byte position in said identification data block (see Kawamura Figs. 9-15).

Regarding claim 7, the combination of Woodward and Kawamura, discloses a method as claimed in claim 5, wherein a data block having three bytes is generated as a first part identification block and while generating said identification data block by said XOR gating to generate the identification data block, this second part identification block is set to a second byte position in the identification data block. (see Kawamura Figs. 9-14).

Regarding claim 8, see rejection above of claim 1.

Regarding claim 9, see rejection above of claim 2.

Regarding claim 10, see rejection above of claim 3.

Regarding claim 11, see rejection above of claim 4.

Regarding claim 12, see rejection above of claim 1.

Regarding claim 13, the combination of Woodward and Kawamura, discloses a computer system as claimed in claim 12, wherein software program product is stored on a computer-readable medium (see Woodward Fig. 3 and Kawamura Figs. 1-2).

Regarding claim 14, the combination of Woodward and Kawamura, discloses a computer system having a processing unit and an internal storage means, said computer system runs the computer software product claimed in claim 12 (see Woodward Figs. 1-3).

Regarding claim 15, the combination of Woodward and Kawamura, discloses the method according to claim 1 wherein said reproducing arrangement includes receiving means for receiving a data carrier (see Woodward Fig. 3 and Kawamura Figs. 1-2).

Regarding claim 16, the combination of Woodward and Kawamura, discloses the method according to claim 15 wherein said receiving means is a changer module that is arranged to reproduce information or data that has been stored digitally, said digitally stored information being stored on said data carriers for optical reading and rotated at an angular velocity (see Woodward Fig. 3 and Kawamura Figs. 1-2, 16 and their descriptions and inherently).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Cited References

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to:

- a. Data recording medium and record/playback apparatus using the data-recording medium (Kawamura et al. US 6424614). US 5,777,960).
- b. Method and apparatus for seeking target address with error check code (Yamagami et al. US 4,800,549).
- c. Optical disc player and method for reproducing thereof (Han et al. US 2005/0270949).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN T. PHAM whose telephone number is 571-272-7590. The examiner can normally be reached on Monday-Thursday from 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP



WAYNE YOUNG
SUPERVISORY PATENT EXAMINER